



Entered on Docket
May 13, 2008

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP

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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA Commercial Mortgage Company,
USA Capital Realty Advisors, LLC,
USA Capital Diversified Trust Deed Fund, LLC,
USA Capital First Trust Deed Fund, LLC,¹
USA Securities, LLC,²
Debtors.

Affects:

- ☐ All Debtors
- ☒ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR¹
Case No. BK-S-06-10729-LBR²

CHAPTER 11

Jointly Administered Under Case No. BK-S-06-10725 LBR

**ORDER SUSTAINING FIRST
OMNIBUS OBJECTION OF USACM
TRUST TO PROOFS OF CLAIM
BASED UPON INVESTMENT IN
THE WASCO INVESTMENTS, LLC
LOAN**

Hearing Date: May 8, 2008
Hearing Time: 10:30 a.m.

¹ This bankruptcy case was closed on October 12, 2007.

² This bankruptcy case was closed on December 26, 2007.

1 Pending before the Court is the USACM Liquidating Trust's First Omnibus
2 Objection to Proofs of Claim Based Upon Investment in the Wasco Investments, LLC
3 Loan (the "Objection") [DE 6121]. Adequate notice of the Objection was given. No
4 responses were filed to the Objection and no opposition was raised to the Objection at the
5 hearing on May 8, 2008. Good cause appearing,

6 IT IS ORDERED that the Objection is sustained and the Proofs of Claim listed on
7 Exhibit A attached are disallowed in their entirety because they were based entirely upon
8 an investment in the Wasco Investments, LLC Loan.

9 ###

10 PREPARED AND SUBMITTED:

11 **LEWIS AND ROCA LLP**

12
13 By: /s/ RC (#0006593)
14 Susan M. Freeman
15 Rob Charles
16 John Hinderaker
Attorneys for USACM Liquidating Trust

CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 9021

In accordance with Local Rule 9021, the undersigned certifies:

- ☐ The Court waived the requirements of approval under LR 9021.
- ☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.
- ☒ No opposition was filed to the motion and no other party or counsel appeared at the hearing.
- ☐ I have delivered a copy of this proposed order to all attorneys and unrepresented parties who have appeared at the hearing, and any trustee appointed in the case, and each has approved or disapproved the order, or failed to respond, as indicated below:

LEWIS AND ROCA LLP

By: /s/ RC (#0006593)

Susan M. Freeman

Rob Charles

John Hinderaker

Attorneys for USACM Liquidating Trust

**WASCO INVESTMENTS
FIRST OMNIBUS OBJECTION**

**EXHIBIT A
Single Loan Claims**

Claim	Name	Address	Total Claim Amount	Amount Subject to Objection Because it Relates to an Investment In the Wasco Investments Loan
10725-01859	Broadwalk Investments Limited Partnership	Attn: James R. Bonfiglio 8635 West Sahara Avenue Pmb 220 Las Vegas, NV 89117	\$100,000.00	\$100,000.00
10725-02077	Penny Brock	355 Mugo Pine Circle Reno, NV 89511	\$62,010.00	\$62,010.00
10725-01135	Lisa Christensen	33252 Astoria Street Dana Point, CA 92629	\$50,000.00	\$50,000.00
10725-00682	Roy Filkin	2340 Watt Street Reno, NV 89509	\$175,000.00	\$175,000.00
10725-00825	James F. and Elizabeth A. Huthert	487 Sudden Valley Bellingham, WA 98229-4809	\$58,333.30	\$58,333.30
10725-00457	Valda Kennedy	P.O. Box 2845 Reno, NV 89505	\$50,000.00	\$50,000.00
10725-01777	Gary and Dolores Larson	544 Rolling Hills Drive Mesquite, NV 89027	\$103,030.00	\$103,030.00
10725-02415	Allen M. and Dorothy H. Nirenstein 1992 Rev. Trust	Dated 3/4/92 Allen and Dorothy Nirenstein Trustees 403 Woodland Road Kentfield, CA 94904-2635	\$92,700.00	\$92,700.00
10725-01778	Rehberger Family Trust Dtd 6/17/92	c/o Annemarie Rehberger P.O. Box 3651 Incline Village, NV 89450	\$50,000.00	\$50,000.00
10725-00728	Louise G. Sherk, M.D. Employee Benefit Plan Trust	c/o Robert Di Bias and Louise G. Sherk, Trustees 3830 Ocean Birch Drive Corona Del Mar, CA 92625-1244	\$50,723.29	\$50,723.29
10725-00828	Donald Spring	3153 Canyon Oaks Terrace Chico, CA 95928	\$54,500.00	\$54,500.00